

C. D. H. asks the Appeals Board of the Utah Labor Commission to reconsider its prior decision denying Mr. H.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Annotated).

The Appeals Board exercises jurisdiction over this matter pursuant to Utah Code Ann. §63-46b-13.

BACKGROUND AND ISSUES PRESENTED

Mr. H. seeks workers' compensation benefits from Auto Zone, Inc. and its workers' compensation insurance carrier, Liberty Mutual. The parties stipulated to the facts of Mr. H.'s claim and a panel was appointed to consider the medical aspects of the claim. The panel concluded that Mr. H.'s work accident was not the cause of his alleged medical problems. The ALJ and the Appeals Board each accepted the panel's opinion and on that basis denied Mr. H.'s claim.

Mr. H. now asks the Appeals Board to reconsider its decision. In particular, Mr. H. argues the Appeals Board should accept the opinions of Mr. H.'s own physicians and reject the panel's opinion. Mr. H. also renews his request for a hearing before the Appeals Board.

DISCUSSION

In its previous decision in this matter, the Appeals Board considered the arguments that Mr. H. has repeated in his request for reconsideration. The Appeals Board continues to find the medical panel's report persuasive and, on that basis, denies Mr. H.'s request for reconsideration.

ORDER

The Appeals Board reaffirms its previous decision and denies Mr. H.'s request for reconsideration. It is so ordered.

Dated this 31st day of October, 2005.

Colleen Colton, Chair

Patricia S. Drawe

Joseph E. Hatch